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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/397,578 09/16/99 PORTER

K RIC-99-006

025537

WM02/0424

MR. PAUL ROBERTS

MCI WORLD.COM

1133 19TH STREET NW (9854/003)

WASHINGTON DC 20036

EXAMINER

BUI, B

ART UNIT

PAPER NUMBER

2642

DATE MAILED:

04/24/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/397,578

Applicant(s)

Porter et al

Examiner

Bing Bui

Group Art Unit

2642



☒ Responsive to communication(s) filed on Feb 20, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-21 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-21 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-6, 10 and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Serbetcioglu et al (US Pat No. 5,511,111).

Regarding claim 1, with respect to Fig 1, Serbetcioglu et al teach the invention as claimed, a method for implementing a call in a telecommunications network comprising the steps of:

receiving a request to forward calls directed to a first destination to a second destination (Abstract and col 5, ln 30-61); and

contacting the second destination to obtain an approval for forwarding calls to the second destination (Abstract and col 5, ln 30-61).

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Regarding claim 2, with respect to Fig 1, Serbetcioglu et al further teach the step of denying the request to forward calls when the approval is not obtained (Figs 2A-2C; col 5, ln 30-col 6, ln 10 and col 8, ln 53-col 9, ln 45).

Regarding claim 3, with respect to Fig 1, Serbetcioglu et al further teach the step of granting the request to forward calls when the approval is obtained (Figs 2A-2C; col 5, ln 30-col 6, ln 10 and col 8, ln 53-col 9, ln 45).

Regarding claim 4, with respect to Fig 1, Serbetcioglu et al teach the invention as claimed, wherein the step of contacting comprises placing a call to the second destination and requesting the approval (Figs 2A-2C; col 5, ln 30-col 6, ln 10 and col 8, ln 53-col 9, ln 45).

Regarding claim 5, with respect to Fig 1, Serbetcioglu et al teach the invention as claimed, wherein the telecommunications system includes an interactive voice response (IVR) unit that generates a voice message for requesting the approval (Fig 1, item 348 and col 5, ln 15-61).

Regarding claims 6 and 10, with respect to Fig 1, Serbetcioglu et al teach the invention as claimed, wherein the first destination and second destination are telephone sets (Fig 1).

As to claims 18 and 21, they are rejected for the same reasons set forth to rejecting claim 1 above, since claims 18 and 21 are merely a system for implementing the method defined in the method claim 1.

Regarding claim 19, with respect to Fig 1, Serbetcioglu et al teach a call forwarding, wherein the switch is a private branch exchange (PBX) (Fig 1, item 390).

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As to claim 20, it is rejected for the same reasons set forth to rejecting claim 5 above, since claim 20 is merely a system for implementing the method defined in the method claim 5.

3. Claims 11-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Rogers et al (US Pat No. 5,946,386).

Regarding claim 11, Rogers et al teach the invention as claimed, a method for implementing a call in a telecommunications network having a first computer system and a second computer system comprising the steps of:

providing a configuration wherein a video communication session is initially directed to the first computer system (Fig 1; col 1, ln 48-col 2, ln 9 and col 11, ln 45-56);

receiving a request to direct the video communication session to the second computer system (Fig 1; col 1, ln 48-col 2, ln 9 and col 11, ln 45-56);

sending a communication to the second computer system to obtain approval of the request (Fig 1; col 1, ln 48-col 2, ln 9 and col 11, ln 45-56); and

redirecting the video communication session to the second computer system when the approval is obtained (Fig 1; col 1, ln 48-col 2, ln 9 and col 11, ln 45-56).

Regarding claim 12, Rogers et al teach the invention as claimed, wherein the video communication session is a video conferencing session (col 11, ln 45-56).

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Regarding claim 13, Rogers et al teach the invention as claimed, wherein the step of sending the communication comprises sending an electronic mail message (Figs 6a-6b and col 28, ln 41-54).

Regarding claim 14, Rogers et al teach the invention as claimed, wherein the step of sending the communication comprises sending a video mail message (Figs 6a-6b and col 28, ln 41-54).

Regarding claim 15, Rogers et al teach the invention as claimed, wherein the step of sending the communication comprises sending a facsimile (Figs 6a-6b and col 28, ln 8-23).

Regarding claim 16, Rogers et al teach the invention as claimed, wherein the step of sending the communication comprises placing a phone call (Fig 1, items 106 and 118).

Regarding claim 17, Rogers et al teach the invention as claimed, a method of claim 11 further comprising the step of denying the request when the approval is not obtained (Figs 7abc and col 37, ln 8-18).

Claim Rejections - 35 U.S.C. § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Serbetcioglu et al as applied to claim 1 above, and further in view of Rogers et al.

Regarding claims 7-9, Serbetcioglu et al teach the invention as claimed with the exception of providing first destination and second destination are computer systems which have capabilities of placing and receiving a call, respectively.

However, Rogers et al Teach the first destination and second destination are computer systems which have capabilities of placing and receiving a call, respectively (Fig 1; col 1, ln 48-62 and col 6, ln 44-col 7, ln 22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate computer systems which have capabilities of placing and receiving a call as taught by Rogers et al into communication system of Serbetcioglu et al for providing more flexibility in communication implementation.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6306 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

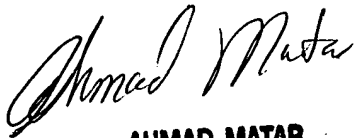
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2642.

Bing Bui

Patent Examiner

Apr 09, 2001


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600